



**OFFICIAL MINUTES OF THE
PLANNING AND ZONING MEETING
CITY OF THIBODAUX
THIBODAUX, LOUISIANA
March 2, 2022**

The Planning and Zoning Commission of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2nd Street, Thibodaux, Louisiana, on Wednesday, March 2, 2022 at 5:00 P.M.

There were present: Clay Breaud, Drew Andrews, Robert Mire and Mark Kearns
Absent: Thomas

The minutes of the February 2, 2022 Planning and Zoning Commission were approved as written.

Felicia Johnson, 371 Klienpeter Dr. presented her request to amend Residential District Permitted Uses Table 5.1 to add "Office" as a special exception within R-2 Zoning Districts. She noted she is a registered nurse and her goal was to open up a home care office on St. Charles St. Her initial goal was to open up a home health agency but there is a moratorium on opening up home healths right now but she could open up a hospice agency, which was her background. She has been a nurse for 19 years, 15 of those years have been in hospice in different capacities. She has been a case manager, assistant director of nurses and director of nurses and has worked in all aspects of the business. She spoke with Ms. Marian Tate, the director of the Dept. of Health and Hospitals over Home Health and Hospice that gives them licensure and she gave her some direction on how to get the business up and running. She chose the location for the business because they own the house and she had a small snowball stand business there previously in 2007. With the recent hurricane and not being able to find a location and to keep down overhead for the business, it would only be an office for paperwork. There would be perhaps 2 or 3 staff members in the building at a time, nurses, PT's, and aides are contact workers so they would be out in the field seeing patients and wouldn't be at the location all day. That was what she wanted to start. Breaud noted that she met with the City and they came up with the office classification. He asked if anybody would be living there. Ms. Johnson replied no. Breaud noted the problem or issue was an office was not allowed in an R-2, R-3 or R-4 Zones and for us to allow it in an R-2 would not only apply to this location but it would apply to everywhere in the City of Thibodaux. Wherever we have an R-2 we would have to allow an office or make it a special exception to allow an office and this is where we run into problems and issues with this. If it would be a home occupation and you were living in it and wanted to use it as that we have that home occupation allowed in that district. Ms. Johnson noted unfortunately that type of business can't be in a home setting. Breaud inquired if there was any other classification for this. Ms. Johnson replied they had given me a list of the things that were allowed and had put like whatever the ambulance service and fire stations, what those things would fall under and she forgot the name of what it was, but she was like surely an office, a home, a hospice office would fall in that realm. Breaud noted he was looking for hospice, we've got some personal services establishments, we've got nursing homes or things like that but if we were to allow an office in an R-2 we would have to end up allowing it an R-3 because it is less restrictive than an R-4 and I don't think we want to do that throughout the whole City of Thibodaux, we'll have everybody in residential subdivisions up in an uproar because we have businesses coming into a residential area. He was looking for things that could help her in this but an office he didn't feel that we can allow that to go in there, he asked for the commissioners opinion, Kearns stated we are running into problems in another section of Thibodaux where some of them want to do a similar thing and the residents in the neighborhood are adamant about not having it for traffic reasons for whatever else and this is an accounting office, maybe one or two clients coming in at a time, no heavy traffic but like Clay says it's not just a question of your one area, it is a question of this would apply to every R-2 in the City and we are already facing an issue with a similar situation right now. Breaud noted he would read the definition of an office, "It is a room or group of rooms used for conducting the affairs of a business, profession, service industry or government and generally furnished with desks, tables, files and communications equipment," that is the definition of office. The home occupation, if somebody would be living in that house and you wanted to take a part of the house and use that to do what you are doing I think you could probably do that but under the home occupation classification but under office I don't see a way. Mire stated we'd open a can of worms if you start this. Breaud stated it is all over and we would be jumping the districts are divided into R-1 is the most restrictive, R-2 is the next restrictive, R-3 is less restrictive, R-4 is less restrictive and if we jump into an R-2 and say well we're going to allow an office in there well what happens to less restrictive R-3 & R-4 we'd have to almost allow it those districts as well and that would apply to everywhere in the City. The whole deal with zoning is you try to keep your residential in a residential zone and your offices and your business in commercial or industry type zones. Breaud asked administration if they saw any other way. Duplantis replied all he could say it was not allowed right now and that is what she is here for, that

your decision but all he could go with is what the ordinance allows now and it is not allowed. Breaud stated his personal opinion is that they couldn't allow it, he would like to be able to help you in some kind of way but he didn't see it right now unless you can come back with another location. He rode down St. Charles St. earlier this afternoon and it is mostly residential in there and you may have one or two businesses that have been grandfathered, if they have something that has been grandfathered in we can't stop it but those are grandfathered in since the beginning and we can't do anything about those, we have to let those exist. Ms. Johnson noted even with the provisions of what type of business are allowed in an R-2, a cemetery, a play ground, a golf course, adult day care center which there would be a lot of traffic going in, a day care center, kids going in and out and an office cannot be allowed in this section. Breaud noted not according to the classifications that are set up. Kearns noted not even a medical or dental office can be opened in an R-2. Breaud noted there is nowhere in residential it goes all the way to an R-B District, you're a personal services establishment and I don't even know if that can be considered into that is still not allowed in an R-2 Zone. To try to re-zone, you can't re-zone that much territory, everything in that area is an R-2 Zone residential type stuff. Breaud asked if there were any public comments (no one responded), if not we're going to vote on this but he was sorry they couldn't help her.

On motion by Mire, seconded by Kearns, the Board voted on a motion to deny the request by Felicia Johnson to amend Residential District Permitted Uses Table 5.1 to add "Office" as a special exception within R-2 Zoning Districts....upon roll call the vote was as follows:

YEAS: Breaud, Andrews, Mire, Kearns

NAY: None

ABSTAINED: None

ABSENT: Thomas

Sheila M. Washington, 305 Gerald T. Peltier Drive, presented her request to be granted a special exception accordance with the provisions of Section 307 of the Thibodaux Comprehensive Zoning Ordinance to place a 12' x 64' manufactured home on lot located at 1323 Ledet Street within an R-4 Zoning District. She said she lived on the side of a club and she couldn't take it anymore, she has barricades out there and they park behind me and my friend has seizures and she had to go run in the club to get them to move out the way. Breaud noted we have had quite a few on Ledet St. come in front of us, it looks like they are really improving that area and they're doing a good job. Ms. Washington replied it is nice and quiet and she would love to stay over there. Breaud noted those are allowed as a special exception so he didn't have an issue with it do any commissioners have any comments? Duplantis stated he wanted her to be aware and he thought he had spoken to her a bit the other day; this is the church donated property, correct. Ms. Washington replied yes, sir. Duplantis noted just be aware that you all would be responsible for the sewer tap and any gas or water services because it is the responsibility of the property owner and the neighbor had some issues with that so he wanted her to be aware of those things. Breaud stated so there is a water line and a sewer line along the road. Duplantis replied yes it is actually on that side of the road so it is easy for them to tap in but they are responsible for the cost. Breaud stated so with us voting on this it is just allowing you to do that in this district. Breaud asked if there were any public comments (no one responded).

On motion by Kearns, seconded by Andrews, the Board voted on a motion to grant the special exception to place a manufacture home on lot located at 1323 Ledet Street within an R-4 Zoning District...upon roll call the vote was as follows:

YEAS: Breaud, Andrews, Mire, Kearns

NAY: None

ABSTAINED: None

ABSENT: Thomas

Mr. Matt Ledet of Crescent Engineering & Mapping, LLC, 1815 Hwy. 18, Vacherie, LA, presented his request on behalf of Jaron Land Development Company, LLC to establish zoning classification for the annexation of Phase 3 of Acadia Plantation consisting of 29.8 acres of undeveloped property along Acadia Woods Dr. located in Sections 37, 38, 39 & 90, T15S-R16E, Lafourche Parish, Louisiana. Ledet noted they were looking to begin the Phase 3 portion of the TND development on Acadia Plantation, if you cross Percy Brown on Acadia Road heading back to Acadia Woods this would be the remaining green space between the existing Acadia Road and the development as is, it is that area where we are going to keep coming off of, if you've been there recently, they new pond in the back those roads are going to come back along to Acadia. The boulevard will get finished out and there will be one other connecting street but then you will have some traditional lots coming that way and again encompass it, about 50 lots give or take and cover about 30 acres as stated so it will kind of fill in that gap from what has been constructed back towards Acadia Rd. as it is. Breaud inquired if tonight he was coming in front of them for only annexation of that property into the City and this is going to be to bring it in as an R-3 Zone which is the same zoning as the rest of the development in that area so it matches. Ledet noted it would be that same R-3 and then it's got that TND ordinance tacked on top of it that constrains the design elements of the subdivision. Breaud noted on the other side of the boulevard section he thought that was zoned R-1 or R-2? Ledet replied R-2 if he remembered right. Breaud noted the adjacent property owners were all contacted or did we send out notices to those people. Duplantis

stated he wouldn't think that we did. Breaud replied they have some rules on that, there is a certain percentage it is ok to advertise in the paper, of course this was advertised in the paper, he didn't see the advertisement, but he was sure it was, the agenda was advertised. Breaud stated what he would like to do in the future is put the zoning when we advertise is to put the proposed zoning in there so if somebody lives next to there and they say well we are zoning this commercial, there might be an uproar but when they see it is R, residential like the rest of it then they will say I'm ok with it so we ought to show in the advertisement what the proposed zoning is in the future. You all have the list of names and the ones that would be affected on the opposite side of the road and I guess they would be well aware. Ledet stated they're going to be facing essentially the same thing across the street, of course as it is now they'd have to go to the web site, pull up the agenda and see the attachments because of course the map shows it but it is a fair point. Breaud stated he met with the engineer a couple of weeks ago on this thing because he was interested, in fact, he invited me to come over to see what the development would look like, it is kind of similar to the same thing that is going on now, like Matt said they looked at the drainage already, they're starting design plans and I guess next month you are going to be coming back to us with the plans, sketch and preliminary? Ledet replied sketch and preliminary, yes. Breaud so next month they will come back in front of us with a set of plans and specifications on the construction of this and with our approval and the council, then it will allow them to go to construction at that point in time. They've got another pond in there and the drainage was all kind of designed when this whole thing was done. Ledet replied that goes back to actually when Mr. Jake and Mr. Ronald purchased all that, they actually dig the 40 Arpent Canal to handle more than just that first phase of the project, they dug it to handle all of this and by adding in that second pond back there they still will not have to touch the 40 Arpent Canal for capacity so that is all taken care of. Breaud stated so the TND District, I don't think any of you all were on the commission when this thing started back then, Jake and Ronald Adams started this deal, similar to River Ranch in Lafayette, we took a trip a couple of commissioners went up there and took a look at it because this was something new for the City of Thibodaux so this is probably 12 to 14 years ago already. He thought they are fulfilling the requirements for what they have been doing, the land is high in this area, it is a 12 or 14 elevation so we shouldn't have any drainage issues. The sewer, Jimmy Ledet told him was adequate to handle this area in here so he didn't foresee any big issues but next month they will come back to us with the plans. Ben have you all reviewed anything else on here. Duplantis replied he met with T. Baker Smith and he showed us the layout. Breaud stated when that gets finalized send me a set of construction plans, at least electronically, he didn't need all the paper but we are always interested to make sure that we can accommodate new developments coming in. This will improve the boulevard section, I know the City is working on trying to get a round-a-bout at that intersection because that is kind of a somewhat bad intersection and the more traffic is going to need to be addressed but they are working on getting that done. If not, does anybody have anything more (no one responded). Breaud stated they used to have a set of regulations for TND, it is a whole book of stuff and a lot of things in there as far as design of it doesn't meet our standard requirements, they've got the short radius setbacks and all those kind of things, there was a whole book but it falls in an R-3 Zoning District so it mostly complies with the R-3 but there are some requirements in the TND. Ledet stated it is more the technical elements like actually since that was originally filed the next two filings that we've done, Phase 2 and now 3, we've bumped the road widths and things like that but not tighter, everything is more generous I guess if you would say anything, we tweaked but it is additional technical design elements. Breaud stated the original design was a narrow road, narrow radius to encourage people to walk in the development and then slow down traffic. Ledet stated it is a little more liveable but still not 12' lanes and it does make you slow down.

On motion by Kearns, seconded by Mire, the Board voted on a motion to approve the annexation of Phase 3 of Acadia Plantation consisting of 29.8 acres of undeveloped property as an R-3 Zoning Districtupon roll call the vote was as follows:

YEAS: Breaud, Andrews, Mire, Kearns

NAY: None

ABSTAINED: None

ABSENT: Thomas

Breaud asked if there was any other business to discuss. Mire asked Duplantis about the development in the rear of the new Wal Mart they are developing in the back of there again, all the way up to that subdivision where we had talked about before about the sewer treatment, is that all going to come on our sewerage line, the City's sewerage lines what they are developing there? Breaud replied yes, well there is a sewer line and a sewer treatment plant right behind, last month or two months ago they had Kearney from St. Patrick St. coming back this way a block and we approved that. Kearns stated weren't you talking about the new development behind the neighborhood Wal Mart. Mire stated the green Wal Mart. Breaud replied oh, he was in the wrong area. Kearns stated that was supposed to come in front of us connecting. Mire replied to make the double connection. Duplantis stated they want to be on our sewer, I don't know if that is your question or not but yes, it is not in the City but it Terrebonne property. Breaud stated we put a condition but we approved that, the condition was that they had to go on the plat and put a condition on there that the City had access for the sewers because the dedication of the roads is going to go Terrebonne Parish because it is in Terrebonne Parish but the City is going to own the sewers, so we wanted to make sure that the City was going to have access to their sewer. Mire stated because they are developing a big piece of that property back there. Breaud stated he had never signed anything on there of course he wouldn't be signing

until the final plat comes. Duplantis stated all he knew about it was that we are going to have their sewer. Breaud stated that was approved by the Mayor. Mire stated you know Clay we had talked about the only had one connection per house on the sewer line and Roland wanted to put two on there. Breaud replied no, we said the regulations call for one on each lot and Roland had said the administration has been allowing two per lot with a "Y" at the lot line that serves both of them rather than... Duplantis replied if he had anything to say about it he wanted it in the middle to where it is one tap per lot, separate, we've had some issues with that in the past if one of them gets clogged up then the other person is going to have issues to. He would check into it. Breaud stated look into it and see because we did raise that question, he knew that was in the regulations, one per lot. Duplantis replied that wouldn't be surprising that is a DSLD development so he was sure to save money they would probably would want that. Breaud stated but we don't have to save money, we've got regulations in there we can make them do it. Duplantis said that is not in the city limits so we're not going to, all we are doing is the main line, if something gets clogged up on their side that is up to them to take care of it so maybe that is why he may have..... Breaud stated when you say the main line, we're doing the main gravity but we also pump into a city pump stations and the city has the force main that goes all the way to the treatment plant that whole system is in the city. Duplantis replied yes but from what he knew if they have issues on their side in that neighborhood we aren't taking care of that, just from the lift station is what we are taking care of. Mire inquired if the lift station could handle that much more. Duplantis replied he was sure all of that was engineered to take care of it. Breaud stated they told us it was but check on who owns the sewers because somebody has got to own the sewers, now it was his understanding that the city was going to accept it. Duplantis replied he could be wrong on that, that was just what he thought that it was from the lift station is what we were taking but that is a whole another thing if our guys have to go over there and deal with clogged sewers all the time, there are probably 200 houses in there. Breaud noted he would appreciate it if you could look at this thing, we've got regulations for a reason and he didn't care how cheap the houses are or what they do, we've got regulations that they have to follow and that is what we want to do. Duplantis replied well most of that neighborhood is done already, right? Breaud replied no, in fact he hadn't passed there, they have started construction you're saying. Kearns replied they are just starting to cut things out, they've got road graders and all of that. Breaud stated check into whatever happened to the sewer services, in the regulations it says one per lot and they were trying to put a "Y" on the lot line to serve two. Duplantis stated and Roland had said that was ok, we had talked about that. Mire stated Ben when you say that is not our problem but can the lift station carry that much. Breaud stated what Ben is concerned about when you put two like that you don't have control of what your neighbor is doing, you neighbor can come block yours. As far as the capacity of the pump station that was supposed to have been sized to handle the development, that was a deal with the landowners and the Mayor, they were going to pay for a certain portion. Breaud asked Ben to check on the service stuff and see who, when it comes to the final plat to be signed, he is only going to do what you guys tell me, I'm still waiting on the townhouses up here, I've asked that question, what is going to happen with that because the Council says they don't have to give final approval after the thing is built so he wants the Mayor to sign it before you all bring it to me and let the Mayor sign it first. He had a question about the St. Bernard stuff, remember we had the city limits and they came back to us on there and the city limits really weren't the center of the road it was the South side road or something like that so he signed that plat the other day. Kearns replied the doctor Arceneaux owns that building it affects his mail and everything else. Breaud stated evidently that got changed because he went to meet with the surveyor because he originally refused to sign it and he showed me the documentation that the city had submitted to them. Kearns asked where is the city limit now. Breaud stated it is on the East side of St. Bernard. Kearns replied oh, not in the middle. Breaud replied no, not in the middle and they had documentation and showed him and went back and looked at the minutes of the Council meeting and then he agreed to sign the plat because it wasn't contrary to what we had approved.

Andrews asked about the new Slider's place, don't they need landscaping. Duplantis replied yes but that was all pre-existing, the asphalt and all was there so. Breaud replied read the landscaping ordinance. Duplantis replied he knew they were supposed to. Andrews commented a few of them slid through already like the dentists office in Lea's subdivision, they didn't put any landscaping. Breaud stated so that is another thing to check for Ben, I know you are new at the job but we are going to try to give you this stuff. Duplantis stated add it to the list of a million things I was supposed to check for. Breaud asked what was being built on the side of Shop Rite on 308, what is that building by Duplantis Design Group. Kearns stated it is the only new construction on the bayou. Duplantis replied that was Dan Aysenne, he is building offices.

There being no further business the meeting was adjourned.